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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,333	11/17/2003	Jorge Vicente Blasco Claret	2760-1-004	2394

7590 07/25/2008  
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EXAMINER
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MEW, KEVIN D

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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07/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/715,333	<b>Applicant(s)</b> BLASCO CLARET ET AL.	
	<b>Examiner</b> Kevin Mew	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/29/07, 9/20/07</u> .  | 6) <input type="checkbox"/> Other: _____                          |

***Detailed Action***

***Drawings***

1. The drawings are objected to because each of the reference numerals in Figs. 1 through 9 conveys no meaning and lacks description. Each reference numeral should be descriptively labeled, as indicated by 37 CFR 1.84(g), to facilitate the understanding of the corresponding figure and how they are related to the claims. Appropriate corrections are required.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

2. Claims 1-22 are objected to because of the following informalities:

The term “characterized” should be replaced with “comprising” in order to comply with current USPTO acceptable practice.

Appropriate corrections are required.

Claims 1-22 are objected to because of the following informalities:

The capitalized letters in each of the claims should be replaced with lower case letters in order to comply with current USPTO acceptable practice.

Appropriate corrections are required.

***Allowable Subject Matter***

3. Claims 1-22 would be allowable if rewritten or amended to overcome the objections set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

In claim 1, automatic gain control system for a digital OFDM multiuser transmission system over the electricity network, comprising a number of user kits (2) and a head-end kit (1) in two-way communication over the electricity network, with independent control for both an upstream channel which runs from the user kits (2) to the head-end kit (1), and a downstream channel which runs from the head-end (1) to the user kits (2), where a division of the electricity network for both the upstream and the downstream channels is accomplished with frequency division duplexing (FDD) means and/or time division duplexing (TDD) means, where a signal is

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transmitted with OFDM (orthogonal frequency division multiplexing) modulation means resulting in a signal with non-constant envelope; and comprising amplifiers acting on transmission and reception gains, enabling to use various combinations of head-end (1) and user kits (2), that reuse same frequencies and times, where access to the upstream and downstream channels is accomplished with OFDMA/TDMA (orthogonal frequency division / time division) multiplexing means characterized in that said automatic gain control system comprises:

- carrier by carrier treatment means for emission signals, which attenuate to a greater extent carriers that less attenuated by the channel, and which attenuate to a lesser extent carriers more attenuated by the channel; in order to compensate in advance an effect that a frequency selective channel, as the electricity network, has on the signal before being transformed to a time domain where average power of the signal is fixed,

- carrier by carrier treatment means for received signals in the frequency domain, where a block that compensates an attenuation caused by the channel carries out a scaling in frequency of the received signal and of elements that correct the signal, representing the compensated signal by a floating point and fixing a number of bits of a mantissa to obtain a determined maximum precision, or signal/noise ratio defined by carrier,

- transmission power control means that control the transmission power from various kits (2) with means that increase the power in the carriers that suffer more attenuation on being transmitted by the channel, and decreasing the power in the carriers that are transmitted by the channel with less attenuation; in order to achieve that the power for

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various users (2) is received with a same level and to enable to use analog/digital converters of few bits, transmission power (S) control means that control the transmission gains in the head-end and user kits; in order to ensure that the signals sent by the users (2) to the head-end (18) do not interfere in a functioning of other groups of head-end (18) and users (2) that may be using the same frequencies and times.

*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 571-272-3141. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin Mew /K. M./  
Examiner, Art Unit 2616

/Chi H Pham/  
Supervisory Patent Examiner, Art Unit  
2616  
7/21/08